

United States District Court
District of New Jersey

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

FRANK BARBERA

Magistrate No. 07-1094 (AMD)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. From in or about January 27, 2005 to in or about March 12, 2005, in Atlantic County, in the District of New Jersey and elsewhere, defendant

FRANK BARBERA

did knowingly, willfully and corruptly give, offer, and agree to give a thing of value, that is, cash, to a member of the Atlantic City Council, with the intent to influence or reward him in connection with a business, transaction and series of transactions involving a thing of value of \$5,000 or more of Atlantic City, which received in excess of \$10,000 in a one year period under a program involving a grant or other form of federal assistance.

in violation of Title 18, United States Code, Sections 666 and 2.

I further state that I am a Special Agent for the Federal Bureau of Investigation and that this complaint is based on the following facts:

SEE ATTACHMENT A



Daniel Gilmore
SPECIAL AGENT
FEDERAL BUREAU OF

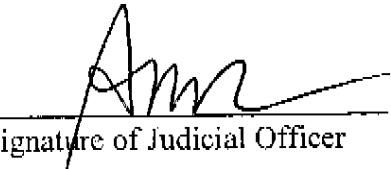
INVESTIGATION

Sworn to before me and subscribed in my presence,

SEPTEMBER 28th, 2007 at CAMDEN, NEW JERSEY

City and State

HONORABLE ANN MARIE DONIO
UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer

CONTENTS APPROVED
UNITED STATES ATTORNEY

By: Jacqueline M. Carle, Esq.
THOMAS J. EICHER, AUSA

Date: September 28, 2007

ATTACHMENT A

I, Daniel Gilmore, am a Special Agent for the Federal Bureau of Investigation. Based upon my participation in this investigation, my conversations with other law enforcement officers, and my review of information gathered by other law enforcement officers, I have knowledge of the facts set forth below. All statements which I have attributed to others have been set forth in substance and in part.

1. At all times relevant to this Complaint, the City of Atlantic City, New Jersey was a local government which received well in excess of \$10,000 a year in benefits under federal programs involving a grant, contract, subsidy, loan, guarantee, insurance or other form of federal assistance.
2. At all times relevant to this Complaint the "Public Official" served as a member and the President of the City Council of Atlantic City.
3. At all times relevant to this Complaint, FRANK BARBERA was a real estate agent and businessman who represented developers of various parcels of land, including land owned or controlled by the Atlantic City. At various times material to this Complaint FRANK BARBERA was a consultant to potential developers of the parcel of land commonly known as Bader Field.
4. On or about January 27, 2005, FRANK BARBERA told the Public Official that "you and I have to get squared away" in connection with the development of Bader Field. FRANK BARBERA stated to the Public Official "tell me what you want..." in order to support him and the developers that he represented in connection with Bader Field.
5. On or about March 4, 2005, FRANK BARBERA told the Public Official that he

had been officially hired as a consultant for certain developers interested in Bader Field, and then stated "you and I can make an arrangement." FRANK BARBERA stated "Let's do a couple of grand a month." FRANK BARBERA told the Public Official. "I'll do what I can because you are helping me." FRANK BARBERA also discussed other development projects in Atlantic City and a lease agreement for a billboard project FRANK BARBERA was involved in that was scheduled for a vote by City Council.

6. On or about March 12, 2005, FRANK BARBERA met the Public Official at BARBERA'S real estate office and FRANK BARBERA paid the Public Official \$2,000 in cash, stating "we are going to do it every month as long as, you know." FRANK BARBERA and the Public Official discussed various real estate development projects in Atlantic City.
7. On or about May 17, June 15, and July 18, 2005, FRANK BARBERA paid the Public Official \$1,000 in cash on each occasion intending to influence and reward the Public Official in his capacity as President of City Council in connection with a business, transaction or series of transactions of the City of Atlantic City.